



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P[MD]No.20001 of 2014

WEB COPY
Marimuthu

... Petitioner

Vs.

1.The Principal Secretary to
Government of Tamil Nadu,
Department of School Education,
St. George Fort,
Chennai.

2.The Director of School Education,
D.P.I. Complex,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to refix the seniority of the petitioner in accordance with law with all monetary and attendant benefits as per the petitioner's representation dated 18.06.2014.

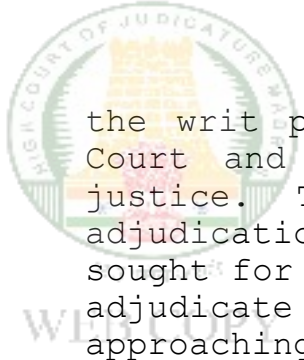
For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondents	: Mrs.S.Srimathy Special Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the second respondent to refix the seniority of the petitioner in accordance with law with all monetary and attendant benefits as per the petitioner's representation dated 18.06.2014.

2.In respect of fixation of seniority or the grievances in that regard are to be redressed by way of submitting objections / appeal to the competent authorities as per the Rules. The writ petitioner has submitted a representation on 18.06.2014. However, the learned Counsel for the writ petitioner states that already promotions were granted to few juniors also. In such an event, the writ petitioner has to implead all those juniors who were placed above the writ petitioner in the seniority list as well as promotions.

3.In this regard, the writ petitioner must contain the list of juniors and the eligibility of the writ petitioner to fix the seniority over and above such juniors. Then alone, the case of the writ petitioner can be considered. There cannot be any common direction to fix seniority of the writ petitioner based on his representation. Seniority issues cannot be settled in this way. If at all, common direction is issued to consider the representation of



the writ petitioner, then the litigant will be back again to the Court and such directions would do no service to the cause of justice. Thus, the issues are to be settled by appropriate adjudication in the writ proceedings. In view of the vague prayer sought for in this writ petition, the writ petitioner is directed to adjudicate the seniority issues as well as the promotions by approaching the competent authority at the first instance and thereafter, redress the same, if any exists by following the procedures.

4. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal Secretary to
Government of Tamil Nadu,
Department of School Education,
St. George Fort,
Chennai.

2. The Director of School Education,
D.P.I. Complex,
Chennai.

+1 CC to SPL GP SR-72746.

ORDER MADE IN
W.P[MD]No.20001 of 2014
01.07.2019

CS/ /SAR/17.07.2019/ 2P/ 4C